

## **REMARKS**

**[0003]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 18-37 are presently pending. Claims amended herein are: 18, 22, 26, 30, 34, 35, 36 and 37. No claims have been withdrawn or cancelled. No new claims have been added herein.

### **Statement of Substance of Interview**

**[0004]** The Examiner graciously talked with me—the undersigned representative for the Applicant—on February 20, 2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0005]** During the interview, I discussed how the claims differed from the cited art, namely Scully. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

**[0006]** The Examiner indicated that he would need to review the cited art more carefully and/or do another search, and requested that the proposed amendments be presented in writing. The Examiner also recommended further clarification of "an object" recited in the claims.

**[0007]** Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

### **Formal Request for an Interview**

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

### **Claim Amendments**

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 18, 22, 26, 30, 34, 35, 36 and 37 herein. These amendments do not constitute new matter. See paragraph [0024] herein for an example of support in the Specification for the claim amendments.

## **Substantive Matters**

### **Claim Rejections under § 102**

[0011] The Examiner rejects claims 18-37 under §102. For the reasons set forth below, the Examiner has not shown that cited references anticipate the rejected claims.

[0012] Accordingly, Applicant respectfully requests that the §102 rejections be withdrawn and the case be passed along to issuance.

[0013] The Examiner's rejections are based upon the following reference:

**Scully:** *Scully, et al.*, US Patent No. 5,982,399 (issued November 9, 1999).

### **Overview of the Application**

[0014] The Application describes a technology for capturing and rendering ink using an ink canvas object that can host one or more objects or elements, and provide ink functionality to the objects or elements. (see *Application*, Abstract)

### **Cited References**

[0015] The Examiner cites Scully as the primary reference in the anticipation- and/or obviousness-based rejections.

#### **Scully**

[0016] Scully describes a technology for providing compatibility between an application program and a renderer executing on a computer. (*Scully*, Abstract).

## **Anticipation Rejections**

[0017] Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.<sup>1</sup> Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.<sup>2</sup>

### **Based upon Scully**

[0018] The Examiner rejects claims 18-37 under 35 U.S.C. § 102(b) as being anticipated by Scully. Applicant respectfully traverses the rejections of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

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<sup>1</sup> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

<sup>2</sup> See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Independent Claim 18

[0019] Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following element(s) as recited in this claim (emphasis added):

A tablet PC system comprising:

- means for housing one or more objects in an object, said object comprising an *ink canvas object providing ink functionality*, the ink functionality comprising the *editing, recognition and detection of ink*, wherein *the ink canvas object is configured to detect and respond to actions performed by a user using a stylus-based input device*, wherein *the ink comprises information captured from the use of the stylus-based input device*;
- means for rendering said one or more objects; and
- means for rendering the ink on top of said one or more objects.

[0020] The Examiner indicates (Action, p. 2) the following with regard to this claim:

As per claims 18-37, Scully shows a system (In fig.1 element 100) having means for housing one or more objects in an object (In fig.3), the object providing ink functionality (In fig.6b); means for rendering one or more objects and for rendering ink on top of the one or more objects (In fig 8-10 and in col.3-10) and means for modifying a property of the object (in fig.2 element 122) and throwing an event by the object 9in fig.6a element 146) and performing a method associated with the object (in fig.7) and object hosted in a tree based structure (in fig.10).

[0021] Scully does not disclose a “means for housing one or more objects in an object, said object comprising an *ink canvas object providing ink functionality*, the ink functionality comprising the *editing, recognition and detection of ink*, wherein *the ink canvas object is configured to detect and respond to actions performed by a user using a stylus-based input device*, wherein *the ink comprises information captured from the use of the stylus-based input device*”. The Examiner equates Figure 3 in Scully to this claim element.

[0022] Regarding Figure 3, Scully discloses that:

Figure 3 is a block diagram illustrating an exemplary renderer stack comprising the drawing interface of the present invention. The renderer stack comprises one or more renderers. A graphics application provides commands to the renderer stack. Each renderer in the stack receives drawing commands from a source, e.g., the renderer above it, and sends drawing commands to a sink, e.g., the renderer below it. (see Scully, column 3, lines 56-63)

[0023] Nothing in Figure 3 of Scully equates to the “ink canvas object” recited in this claim.

[0024] The specification describes an “ink canvas object” as:

The ink canvas object is shown in Figures 5-7 with various constructors, properties, methods and events. ... The ink canvas object may host zero or more elements or objects. The ink canvas object may render ink for hosted elements or objects or those elements or objects may render ink for themselves. (*Application*, ¶ 40)

The ink canvas object may include recognition functionality (including handwriting recognition, shape

recognition, drawing recognition, annotation recognition and the like). The ink canvas object may include extensible editing functionality. (*Application*, ¶ 42)

**[0025]** In Scully, the graphics application provides commands to the renderer stack. Neither the renderer stack nor any of the renderers provide “ink functionality comprising the editing, recognition and detection of ink”. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements are used for “editing, recognition and detection of ink” as recited in this claim. Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is “configured to detect and respond to actions performed by a user using a stylus-based input device” as recited in this claim.

**[0026]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claim 22

[0027] Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- *housing one or more objects in an object, said object comprising an ink canvas object providing ink functionality, wherein the ink canvas object is configured to detect and respond to actions performed by a user using a stylus-based input device, whereby the ink comprises information captured from the use of the stylus-based input device*

[0028] As discussed for Independent claim 18 above, the Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the “ink canvas object” recited in this claim.

[0029] Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is “configured to detect and respond to actions performed by a user using a stylus-based input device” as recited in this claim. In Scully, the graphics application provides commands to the renderer stack. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements of Scully “detect and respond to actions performed by a user”. Figures 5-7 of the Application exemplify numerous properties, methods and events that relate to how the “ink canvas object is configured to detect and respond to actions performed by a user using a stylus-based input device”.



**[0030]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

*Independent Claim 26*

**[0031]** Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- *housing one or more objects in an object, said object comprising an ink object providing ink functionality, the ink functionality comprising editing of ink, wherein the ink canvas object is configured to detect and respond to actions performed by a user using a stylus-based input device, whereby the ink comprises information captured from the use of the stylus-based input device*

**[0032]** As discussed for Independent claim 18 above, the Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the “ink canvas object” recited in this claim.

**[0033]** In Scully, the graphics application provides commands to the renderer stack. Neither the renderer stack nor any of the renderers provide “ink functionality comprising the editing of ink”. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements are used for “editing of ink” as recited in this

claim. Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is “configured to detect and respond to actions performed by a user using a stylus-based input device” as recited in this claim.

**[0034]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

*Independent Claim 30*

**[0035]** Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- means for housing one or more objects in an object, said object comprising an *ink canvas object providing ink functionality*, the ink functionality comprising *editing of ink*, wherein *the ink canvas object is configured to detect and respond to actions performed by a user using a user input device*

**[0036]** As discussed for Independent claim 18 above, the Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the “ink canvas object” recited in this claim.

**[0037]** In Scully, the graphics application provides commands to the renderer stack. Neither the renderer stack nor any of the renderers provide “ink functionality comprising editing of ink”. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers

that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements are used for "editing of ink" as recited in this claim. Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is "*configured to detect and respond to actions performed by a user using a user input device*" as recited in this claim.

**[0038]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

*Independent Claim 34*

**[0039]** Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- housing one or more objects in an object, said object comprising an *ink object* providing ink functionality, the ink functionality comprising *editing of ink*, wherein *the ink canvas object is configured to monitor and respond to actions performed by a user using a user input device*

**[0040]** As discussed for Independent claim 18 above, the Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the "ink canvas object" recited in this claim.

**[0041]** In Scully, the graphics application provides commands to the renderer stack. Neither the renderer stack nor any of the renderers provide "ink functionality comprising editing of ink". The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements are used for "editing of ink" as recited in this claim. Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is "*configured to monitor and respond to actions performed by a user using a user input device*" as recited in this claim.

**[0042]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claim 35

**[0043]** Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- housing one or more objects in an object, said object comprising an *ink canvas object* providing ink functionality, the ink functionality comprising *editing of ink, wherein the ink canvas object is configured to detect and respond to actions performed by a user using a user input device*

**[0044]** As discussed for Independent claim 18 above, the Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the “ink canvas object” recited in this claim.

**[0045]** In Scully, the graphics application provides commands to the renderer stack. Neither the renderer stack nor any of the renderers provide “ink functionality comprising editing of ink”. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements are used for “editing of ink” as recited in this claim. Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is “*configured to detect and respond to actions performed by a user using a user input device*” as recited in this claim.

**[0046]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

*Independent Claim 36*

**[0047]** Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- means for housing one or more objects in an object, said object comprising an *ink object* providing ink functionality, wherein the ink object is configured to detect and respond to actions performed by a user using a user input device

**[0048]** The Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the “ink object” recited in this claim.

**[0049]** Furthermore, Scully does not disclose or describe where any renderer, renderer stack or drawing interface is “configured to detect and respond to actions performed by a user using a stylus-based input device” as recited in this claim. In Scully, the graphics application provides commands to the renderer stack. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of the elements of Scully “detect and respond to actions performed by a user”.

[0050] Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claim 37

[0051] Applicant submits that Scully does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (emphasis added):

- an object for receiving ink, wherein said object is an *ink canvas object* that may be hosted in a tree-based organizational structure, wherein the said object *provides ink functionality*, the *ink functionality comprising the editing, recognition and detection of ink*, wherein *the object is configured to monitor and respond to actions performed by a user using a stylus-based input device*, wherein the ink comprises information captured from the use of the stylus-based input device

[0052] As discussed for Independent claim 18 above, the Examiner equates Figure 3 in Scully to this claim element. Nothing in Scully equates to the “ink canvas object” recited in this claim.

[0053] In Scully, the graphics application provides commands to the renderer stack. Neither the renderer stack nor any of the renderers provide “ink functionality comprising *the editing, recognition and detection of ink*”. The drawing interface comprises a renderer stack for building graphic images, wherein the renderer stack

includes multiple renderers that can be dynamically bound to graphics hardware at runtime (Scully, column 3, lines 39-42). None of these elements are used for “*editing, recognition and detection of ink*” as recited in this claim. Furthermore, none of these elements of Scully “*monitor and respond to actions performed by a user*”. Figures 5-7 of the Application exemplify numerous properties, methods and events that relate to how the “object is configured to *monitor* and respond to actions performed by a user using a stylus-based input device”.

**[0054]** Consequently, Scully does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.



## **Dependent Claims**

[0055] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

## **Conclusion**

[0056] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

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